

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE FLORES,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS, ET AL.,

Defendants.

1:20-CV-10122 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, United States District Judge:

By order dated December 4, 2020, the Court directed Plaintiff, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) and prisoner authorization or pay the \$400.00 in fees required to file a civil action in this Court. The Court also directed Plaintiff, within the same period, to complete, sign, and submit a declaration due to the amended complaint’s lack of Plaintiff’s signature. The order specified that failure to comply would result in dismissal of this action. Plaintiff has not filed an IFP application and prisoner authorization or paid the fees, and he has not filed a declaration. Accordingly, the Court dismisses this action without prejudice. *See* 28 U.S.C. §§ 1914, 1915; Fed. R. Civ. P. 11(a).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: April 13, 2021
New York, New York



COLLEEN McMAHON
United States District Judge